

Dean L. Engelhardt, et al.

Serial No.: 08/486,069

Filed: June 7, 1995

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In Applicants' May 23, 2000 Information Disclosure Statement
- September 8, 2000]



REMARKS

Claims 569-717, 719-869, 871-1021, 1023-1173, 1175-1294, 1296-1407, 1409-1568, 1570-1612 and 1614-1727 are pending and presently under examination in this application. No changes to the claims have been made by this paper.

This Communication follows September 6 and 8, 2000 telephone conversations with Mrs. Tina Plunkett, Docket Specialist, U.S. Patent and Trademark Office, Group 1600 (Tel. 703-308-3951). In the September 6th telephone conversation, Mrs. Plunkett had indicated that our response to the November 23, 1999 Office Action was missing, together with the other filings earlier this year. Copies of five previously filed papers in this application were sent to Mrs. Plunkett by overnight courier. These papers included:

- May 23, 2000 Information Disclosure Statement Under 37 C.F.R. §§1.56 & 1.97-1.98 [including Exhibits 1-69];
- May 23, 2000 Amendment Under 37 C.F.R. §1.115 (In Response To The November 23, 1999 Office Action) [including Exhibits 1-11];
- August 30, 2000 Communication For Transmitting Claim Support Table (Following Applicants' June 19, 2000 Supplemental Amendment To Their May 23, 2000 Amendment Under 37 C.F.R. §1.115 [including Exhibit A]);
- August 31, 2000 Second Supplemental Amendment (Following Applicants' August 30, 2000 Communication For Transmitting Claim Support Table); and
- August 31, 2000 Communication For Transmitting Composite Claim Set (Following Applicants' August 31, 2000 Second Supplemental Amendment) [including Exhibit A].

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SUMMARY AND CONCLUSIONS

Claims 569-717, 719-869, 871-1021, 1023-1173, 1175-1294, 1296-1407, 1409-1568, 1570-1612 and 1614-1727 continue to be presented for further examination in this application. No changes to the claims have been effected by this Communication, the purpose of which is to submit a replacement document that was missing in Applicants' May 23, 2000 Information Disclosure Statement Under 37 C.F.R. §§1.56 & 1.97-1.98.

No fee or fees are believed to be due in connection with this Communication. In the event that any other fee or fees are due, however, authorization is hereby given to charge the amount of any such fee(s) to Deposit Account No. 05-1135, or to credit any overpayment thereto.

If a telephone conversation would further the prosecution of the present application, Applicants' undersigned attorney request that he be contacted at the number provided below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald C. Fedus".

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[September 8, 2000]

While reviewing the copy containing the May 23, 2000 Information Disclosure Statement, the legal assistant for Applicants' undersigned attorney noticed that documents no. 39 and no. 41 were duplicates of the latter, and that the actual document for no. 39 was missing, although the citation for this missing document in the IDS was correct. After notifying Mrs. Plunkett of the missing document, Applicants' attorney is submitting this Communication in order to furnish the Examiner with a copy of document no. 39 which is attached hereto as Exhibit A [J. A. Montgomery and H. Jeanette Thomas, "4-Amino-7-β-D-Ribofuranosyl-7H-Imidazo[4,5-d]-*β*-Triazine(2-Aza-Adenosine)," in Nucleic Acid Chemistry: Improved and New Synthetic Procedures, Methods and Techniques, Part Two, Edited by Dr. Leroy B. Townsend and Dr. R. Stuart Tipson, John Wiley & Sons, New York, 1978, pages 681-685]. This inadvertent error in Applicants' May 23, 2000 IDS was aided in no small way by the fact that the authors in documents no. 39 and 41 are the same but the order is different.¹

Entry of replacement document no. 39 (Montgomery and Thomas (1978) [attached hereto as Exhibit A] into Applicants' May 23, 2000 Information Disclosure Statement is hereby requested.

Any inconvenience caused by this error is sincerely regretted.

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¹ The authors in document no. 41 are H. Jeanette Thomas and J. A. Montgomery (1968).